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Dated: February 23, 2007

Signature:

(Rosemarie Puljic-Salmeron)

Patent

Docket No. 420052000300

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Neil P. DESAI et al.

Serial No.: 10/731,224

Filing Date: December 9, 2003

For: COMPOSITIONS AND METHODS OF  
DELIVERY OF PHARMACOLOGICAL  
AGENTS

Confirmation No.: 4904

Examiner: M. Tsay

Group Art Unit: 1656

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of the foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

U.S. Serial No.: 10/731,224

Copies of certain pending unpublished U.S. applications (documents 1, 3-21) are not included herewith. This protocol conforms with the waiver of the requirement for submitting cited pending U.S. Patent Applications under 37 C.F.R. § 1.98. The Examiner is requested to make these documents of record in the instant application.

Regarding commonly-owned U.S. Pub. No. 2007/0020337, the Examiner's attention is directed to ¶¶ [0007]-[0011] and [0022]. Regarding commonly-owned U.S. Pub. No. 2006/0121119, the Examiner's attention is directed to ¶¶ [0004]-[0010], [0013]-[0015], [0024] and [0039].

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.

U.S. Serial No.: 10/731,224

☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

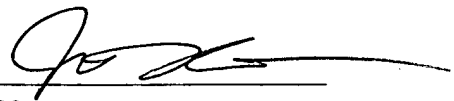
Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 420052000300.

Dated: February 23, 2007

Respectfully submitted,

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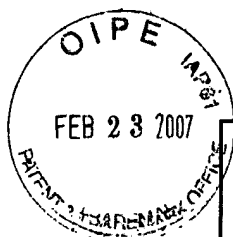
ALTERNATIVE TO PTO/SB/08A/B (09/06)

<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/731,224
				Filing Date	December 9, 2003
				First Named Inventor	Neil P. DESAI
				Art Unit	1656
				Examiner Name	M. Tsay
Sheet	1	of	3	Attorney Docket Number	420052000300

U.S. UNPUBLISHED PATENT APPLICATIONS					
Examiner Initials*	Cite No. <sup>1</sup>	Application Number	Filing Date MM-DD-YYYY	Name of Inventor(s) of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	09/446,783	05-16-2000	Desai et al.	
	2.	09/937,840	01-28-2002	Desai et al.	
	3.	11/513,756	08-30-2006	Desai et al.	
	4.	11/514,030	08-30-2006	Desai et al.	
	5.	11/520,479	09-12-2006	Desai et al.	
	6.	11/520,523	09-12-2006	Desai et al.	
	7.	11/520,546	09-12-2006	Desai et al.	
	8.	11/544,242	10-06-2006	Desai et al.	
	9.	11/544,523	10-05-2006	Desai et al.	
	10.	11/544,737	10-05-2006	Desai et al.	
	11.	11/544,781	10-05-2006	Desai et al.	
	12.	11/544,794	10-05-2006	Desai et al.	
	13.	11/553,339	10-26-2006	Desai et al.	
	14.	11/553,350	10-26-2006	Desai et al.	
	15.	11/587,883	10-27-2006	Woo et al.	
	16.	11/588,594	10-26-2006	Desai et al.	
	17.	11/594,417	11-06-2006	Desai et al.	
	18.	11/599,100	11-14-2006	Desai et al.	
	19.	11/635,252	12-05-2006	Desai et al.	
	20.	11/635,253	12-05-2006	Desai et al.	
	21.	11/644,850	12-22-2006	Desai et al.	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	22.	2003-0185894-A1	10-02-2003	Zenoni et al.	
	23.	2003-0187062-A1	10-02-2003	Zenoni et al.	
	24.	2005-0009731-A1	01-13-2005	Desai et al.	
	25.	2005-0064028-A1	03-24-2005	Hegedus et al.	
	26.	2006-0073175-A1	04-06-2006	Soon-Shiong et al.	
	27.	2006-0083782-A1	04-20-2006	Desai et al.	
	28.	2006-0121119-A1	06-08-2006	Zenoni et al.	
	29.	2006-0199248-A1	09-07-2006	Trieu et al.	
	30.	2006-0241170-A1	10-26-2006	Soon-Shiong et al.	
	31.	2006-0257326-A1	11-16-2006	Desai et al.	
	32.	2006-0263434-A1	11-23-2006	Desai et al.	
	33.	2007-0020337-A1	01-25-2007	Zenoni et al.	
	34.	5,362,478	11-08-1994	Desai et al.	
	35.	5,498,421	03-12-1996	Grinstaff et al.	

Examiner Signature		Date Considered	
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				Art Unit	1656
				Examiner Name	M. Tsay
				Attorney Docket Number	420052000300
Sheet	2	of	3		

U.S. PATENT DOCUMENTS					
	36.	5,505,932	04-09-1996	Grinstaff et al.	
	37.	5,508,021	04-16-1996	Grinstaff et al.	
	38.	5,512,268	04-30-1996	Grinstaff et al.	
	39.	5,560,933	10-01-1996	Soon-Shiong et al.	
	40.	5,635,207	06-03-1997	Grinstaff et al.	
	41.	5,639,473	06-17-1997	Grinstaff et al.	
	42.	5,650,156	07-22-1997	Grinstaff et al.	
	43.	5,665,382	09-09-1997	Grinstaff et al.	
	44.	5,665,383	09-09-1997	Grinstaff et al.	
	45.	5,997,904	12-07-1999	Magdassi et al.	
	46.	6,096,331	08-01-2000	Desai et al.	
	47.	6,506,405-B1	01-14-2003	Desai et al.	
	48.	6,528,067-B1	03-04-2003	Magdassi et al.	
	49.	6,537,579-B1	03-25-2003	Desai et al.	
	50.	6,565,842-B1	05-20-2003	Sojomihardo et al.	
	51.	6,652,884-B2	11-25-2003	Falciani	
	52.	6,743,826-B1	06-01-2004	Hegedus et al.	
	53.	6,749,868-B1	06-15-2004	Desai et al.	
	54.	6,753,006-B1	06-22-2004	Desai et al.	
	55.	7,119,124-B1	10-10-2006	Hegedus et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	56.	WO 94/18954-A1	09-01-1994	Clover Consolidated Limited		
	57.	WO 98/07410-A1	02-26-1998	VivoRx Pharmaceuticals, Inc.		
	58.	WO 98/14174-A1	04-09-1998	VivoRx Pharmaceuticals, Inc.		
	59.	WO 98/14175-A1	04-09-1998	VivoRx Pharmaceuticals, Inc.		
	60.	WO 99/00113-A1	01-07-1999	VivoRx Pharmaceuticals, Inc.		
	61.	WO 00/06152-A1	02-10-2000	NovoPharm Biotech, Inc.		
	62.	WO 00/64437-A1	11-02-2000	American Biosciences, Inc.		
	63.	WO 00/71079-A2	11-30-2000	American Bioscience, Inc.		
	64.	WO 01/89522-A1	11-29-2001	American Bioscience, Inc.		
	65.	WO 02/087545-A1	11-07-2002	American Bioscience, Inc.		
	66.	WO 03/096944-A1	11-27-2003	American Bioscience, Inc.		
	67.	WO 05/117952-A2,A3	12-15-2005	American Bioscience, Inc.		
	68.	WO 06/034147-A2, A3	03-30-2006	American Bioscience, Inc.		
	69.	WO 06/089207-A1	08-24-2006	American Bioscience, Inc.		

Examiner Signature		Date Considered	
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ALTERNATIVE TO PTO/SB/08A/B (09/06)

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Sheet	3	of	3		

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author ( in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	70.	Curry, S. et al. (November 23, 1999). "Fatty Acid Binding To Human Serum Albumin: New Insights From Crystallographic Studies," <i>Biochim Biophys Acta</i> . 1441(2-3):131-140.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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